

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COLEMAN MCCALL, Jr.	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 11-5689
CITY OF PHILADELPHIA,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 29th day of *October*, 2013, upon consideration of **(1)** Plaintiff Coleman McCall, Jr.'s Motion for Partial Summary Judgment (Docket No. 40) and Defendant City of Philadelphia's Response (Docket No. 43) and **(2)** Defendant's Motion for Summary Judgment (Docket No. 41) and Plaintiff's Response (Docket No. 42), it is hereby **ORDERED** that Plaintiff's Motion is **DENIED** in its entirety and Defendant's Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. Defendant's Motion is **GRANTED** with respect to Plaintiff's claims under the Americans with Disabilities Act and the Pennsylvania Human Rights Act (Counts II and III) and Plaintiff's newly-raised Family Medical Leave Act ("FMLA") interference claim.
2. Defendant's Motion is **DENIED** with respect to Plaintiff's claim for retaliation under the FMLA (Count I).
3. The parties shall appear for a status conference in chambers, Room 14614, United States Courthouse, 601 Market Street, Philadelphia, PA on **Wednesday, November 13, 2013 at 11:00 a.m.**

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.